

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

11	BRENDA J. WEIL,	)	Case No.: 1: 21-cv-0500 JLT EPG
12	Plaintiff,	)	
13	v.	)	ORDER APPROVING IN PART THE PARTIES’
14	RAISIN CITY ELEMENTARY SCHOOL	)	STIPULATION TO AMEND THE SCHEDULING
15	DISTRICT, et al.,	)	ORDER
16	Defendants.	)	(Doc. 109)
17		)	ORDER EXTENDING THE EXPERT
		)	DISCOVERY DEADLINE FOR LIMITED
		)	PURPOSES AND DENYING THE REQUEST TO
		)	EXTEND THE DISPOSITIVE MOTION
		)	DEADLINE

On October 7, 2024, the parties filed a joint stipulation to amend the scheduling order. (Doc. 129.) The parties report: “Defendants’ retained expert, Harvey Leiderman, has undergone significant surgery and, as a result, is medically unavailable for a deposition before the close of expert discovery.” (*Id.* at 2.) In addition, “Plaintiff’s retained expert, Robert Jones, is presently unavailable on any date that the Parties’ counsel is available for his expert deposition and anticipates undergoing surgery in November 2024.” (*Id.*) Therefore, the parties request to extend the expert discovery deadline from October 25, 2024, to January 29, 2025, for the purpose of taking the depositions of these retained experts. (*Id.* at 2-3.) The parties also request that the dispositive motion filing deadline be extended to March 14, 2025, “because the remaining expert depositions may be pertinent to a potential dispositive motion.” (*Id.* at 3.)

It appears there is good cause to extend the expert discovery deadlines for the limited purposes

1 of taking the depositions of Mr. Leiderman and Mr. Jones, given the reported unavailability of the  
2 experts and their respective medical procedures. However, the parties do not explain how the experts'  
3 opinions may bear upon any dispositive motion. The Court declines to speculate, as the parties would  
4 have it, that the experts' opinions "may be pertinent" to issues in any dispositive motion. Moreover,  
5 the parties do not address—or even acknowledge—the fact that continuing the dispositive motion  
6 deadline would also mandate changing the pre-trial and trial dates in this action to ensure the Court has  
7 sufficient time to address the motion, while continuing to operate in a state of judicial emergency with  
8 limited resources. Accordingly, the parties have not demonstrated good cause exists to extend the  
9 dispositive motion deadline.

10 Based upon the foregoing, the Court **ORDERS**:

- 11 1. The stipulation to amend the scheduling order (Doc. 129) is **APPROVED IN PART**.
- 12 2. The request to extend the expert discovery deadline to January 29, 2025 is **GRANTED**,  
13 **for the limited purpose** of taking the depositions of Robert Jones and Harvey  
14 Leiderman. All other expert discovery **SHALL** be completed by October 25, 2024, as  
15 previously ordered.
- 16 3. The request to extend the dispositive motion deadline is **DENIED** without prejudice.

17  
18 IT IS SO ORDERED.

19 Dated: **October 9, 2024**

  
UNITED STATES DISTRICT JUDGE